



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 17, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-37072 – EXTENSION OF TIME – SPECIAL USE PERMIT -

APPLICANT/OWNER: MAIN STREET ACQUISITIONS, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-9135) shall expire on January 18, 2012 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval of the Special Use Permit (SUP-9135) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is undeveloped with a previously approved Special Use Permit (SUP-9135) for an eight-story, 99-foot tall mixed-use development. This is the second request for an extension of time for the proposed project with the last approval expiring January 18, 2010. Though the applicant has not been issued any permits for the construction of the new development, they have made progress in the form of demolishing the old structures and starting onsite hardscaping. The applicant is requesting an extension of time due to the depressed housing market in Las Vegas, making it difficult to secure financing for the project. Staff is recommending approval of the request with a two year time limit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/18/06	The City Council approved a request to amend a portion of the Las Vegas Redevelopment Plan for the Downtown Las Vegas Redevelopment Area (GPA -9129) from C (Commercial) to MXU (mixed-Use) on 1.39 acres adjacent to the east side of Main Street, approximately 340 feet north of Bonanza Road. The Planning Commission recommended approval on 12/01/05.
	The City Council approved a related request for Rezoning (ZON-9131) from R -2 (Medium-Low Density Residential) and C-M (Commercial/Industrial District) to C-1 (Limited Commercial).
	The City Council approved a related request for a Special Use Permit (SUP-9135) for a proposed eight-story, 99-foot mixed-use development.
	The City Council approved a related request for a Site Development Plan Review (SDR-9136) for a proposed mixed-use development consisting of 109 residential units and 9,779 square feet of retail space; and waivers of the residential adjacency requirements to allow a setback of 15 feet where 297 feet is the minimum setback required; and to allow 70 percent lot coverage where 50 percent is the maximum lot coverage permitted.

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/06/08	The City Council approved a request for an Extension of Time (EOT-26205) of a previously approved Rezoning (ZON-9131) from R-2 (Medium-Low Density Residential) and C-M (Commercial/Industrial District) to C-1 (Limited Commercial) at 714, 718 and 722 Main Street; and 711 and 719 North First Street.
	The City Council approved a related request for an Extension of Time (EOT-26203) of a previously approved Special Use Permit (SUP-9135) for a proposed eight-story, 99-foot mixed-use development
	The City Council approved a related request for an Extension of Time (EOT-26204) of a previously approved Site Development Plan Review (SDR-9136) for a proposed mixed-use development consisting of 109 residential units and 9,779 square feet of retail space; and waivers of the residential adjacency requirements to allow a setback of 15 feet where 297 feet is the minimum setback required; and to allow 70 percent lot coverage where 50 percent is the maximum lot coverage permitted.
02/14/08	Code Enforcement cases #62317 and 62360 were processed for a semi-trailer and vehicles parked in the rear at 711 North First Street. Code Enforcement closed the cases on 02/20/08 and 03/03/08.
03/24/08	The Planning and Development Department approved a request for a Temporary Commercial Permit (TCP-26557) for temporary storage and a contractor's yard at 722 North Main Street from 03/24/08 to 09/24/08.
<i>Related Building Permits/Business Licenses</i>	
02/03/06	Building permits (#59135 and 59129) were issued for the demolition of a building located at 718 and 722 North Main Street.
03/05/08	A building permit (#108461) was issued for the relocation of a modular office to include utilities located at 718 North Main Street. The permit remains open.
03/05/08	A building permit (#108467) was issued for onsite hard scaping at 718 North Main Street. In addition Plan Check #26923 was processed for the relocation of a building and utilities at 718 North Main Street. The plans are still being reviewed by various departments.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application, nor was one held.	
<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.40

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Land- Proposed Mixed- Use Development	MXU (Mixed-Use)	C-1 (Limited Commercial)
North	Motel	C (Commercial)	C-M (Commercial/Industrial)
South	Undeveloped Land	MXU (Mixed-Use)	C-1 (Limited Commercial)
East	Single Family Dwellings	MXU (Mixed-Use)	R-1 (Single Family Residential)
West	Retail Establishments and Warehouses	C (Commercial)	M (Industrial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Las Vegas Redevelopment Plan/Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the second request for an Extension of Time of a previously approved Special Use Permit (SUP-9135) for a proposed eight-story, 99-foot tall mixed-use development. Though the applicant has not been issued any permits for the construction of the new development, they have made progress in the form of demolishing the old structures and starting onsite hardscaping. There have been new entitlements for properties in the surrounding areas to include a proposed mixed-use development to the south and a restaurant to the west.

Title 19.18.060 deems a Special Use Permit exercised upon the approval of a business license, if required, or upon the issuance of a certificate of occupancy or approval of a final inspection.

FINDINGS

The Special Use Permit (SUP-9135) has not met the requirements to be exercised as outlined in Title 19.18.060 to exercise the entitlement. The applicant is requesting an extension of time due to the depressed housing market in Las Vegas, making it difficult to secure financing for the project. Staff is recommending approval of the request with a two year time limit. Conformance to the conditions of approval of the Special Use Permit (SUP-9135) shall be required.

<u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u>	N/A
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<u>ASSEMBLY DISTRICT</u>	N/A
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<u>SENATE DISTRICT</u>	N/A
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<u>NOTICES MAILED</u>	N/A
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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